

REMARKS

Claims 1-12 are pending in the application. Claims 1-12 were rejected.

Claims 1, 4-9 and 11 are rejected under 35 USC 102(e) as being anticipated by Marisetty et al. (US Patent No. 6,675,328).

Marisetty discloses a system having multiple processors that may encounter errors. When an error is encountered that is dire enough to require more than local solution, an error-handling routine in the nonvolatile memory is accessed and executed. The routine designates a 'monarch' processor to handle the error. See Marisetty at column 5, lines 30-53.

There is no system controller in the system of Marisetty. There is 'system logic' which is not defined and although shown in the drawings at 530 of Figure 5 of Marisetty and mentioned in the text, this is a bus arbiter of some kind. See Marisetty, column 9, lines 1-17. Further, it is clear from the text that there is no system controller. All of the errors are handled by the processor local to the error, or by a monarch processor designated by the handling routine, not by a system controller. See Marisetty, column 5, lines 38-47.

In contrast the invention as claimed in amended claims 1, 6, 8 and newly added claim 13 require that there be a system controller separate from the processors that identifies the error, determines whether it triggers quiesce and then quiesces the masters. Having a central entity that is not a master, keeping it separated from any error conditions, is a clear advantage over the prior art.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly, or inherently described, in a single prior art reference." *Verdergaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Circ. 1987), MPEP § 2131. As discussed above, the Marisetty reference does not teach a system controller.

Further, "...the prior art references must teach or suggest all of the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based upon applicant's disclosure." *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). MPEP § 2142, 2143. Therefore, not only does the Marisetty reference not anticipate the subject matter of claims 1, 6, 8 and 13, Marisetty does not render the subject matter of these claims obvious.

Therefore, it is submitted that claims 1, 6, 8 and 13 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claims 4 and 5-7 depend from claim 1, claims 9 and 11 depend from claim 8, respectively. Claims 4 and 5-7 inherently contain all of the limitations of the independent claim 1, and claims 9 and 11 inherently contain all of the limitations of the independent claims. As the prior art does not teach, show nor suggest all of the limitations of the base claim, it cannot teach the further features of the dependent claims. It is therefore submitted that claims 4, 5-7, 9 and 11 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claim 2 was rejected under 35 USC 103(a) as being unpatentable over Marisetty et al. in view of Amrany et al. (U.S. Patent No. 6,412,027).

Claim 2 depends from claim 1, which should now be allowable. The combination of references does not overcome the deficiencies of the Marisetty reference alone in teaching a system controller that quiesces masters to allow a system to handle errors with regard to claim 1. The addition of Amrany to address DMA controllers does not cure this defect with regard to a system controller. It is therefore submitted that claim 2 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Marisetty et al. in view of Potter (U.S. Patent No. 5,608,884).

Claim 3 depends from claim 1, which should now be allowable. The combination of references does not overcome the deficiencies of the Marisetty reference alone in teaching a system controller that quiesces masters to allow a system to handle errors. The addition of Potter to address a PCI controller does not cure this defect with regard to a system controller. It is therefore submitted that claim 3 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claim 10 was rejected under 35 USC 103(a) as being unpatentable over Marisetty et al. in view of Berg et al. (U.S. Patent No. 6,629,184).

Claim 10 depends from claim 8, which should no be allowable. The combination of references does not overcome the deficiencies of the Marisetty reference alone in teaching receiving an error message at a system controller. The addition of Berg to address error messages as interrupts does not cure this defect with regard to a system controller. It is therefore submitted that claim 10 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claim 12 is rejected under 35 USC 103(a) as being unpatentable over Marisetty et al. in view of Yazdy (US Patent No. 5,815,676).

Claim 12 depends from claim 8, which should now be allowable. The combination of references does not overcome the deficiencies of the Marisetty reference alone in teaching receiving an error message at a system controller. The addition of Yazdy The combination of references does not overcome the deficiencies of the Marisetty reference alone in teaching a system controller that quiesces masters to allow a system to handle errors. The addition of Yazdy to address a bus arbiter does not cure this defect with regard to a system controller. It is therefore submitted that claim 12 is patentably distinguishable over the prior art and allowance of this claim is requested.

No new matter has been added by this amendment. Newly added claim 13 is supported amply in the specification, for example, by page 6, lines 6-16, and page 8, lines 1-4, among others.

Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted

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